



Liquor Control Act 1988 SPECIAL FACILITY LICENCE

The Licensee
Kings Park Function Centre and The Botanical Cafe
60 Fraser Avenue
KINGS PARK WA 6005

Premises Name: Kings Park Function Centre and The Botanical Cafe
Premises Address: Fraser Avenue Kings Park, Perth WA 6000
Licensee: O'Brien Pty Ltd

The licensee named above is authorised to sell liquor at the licensed premises described above, in accordance with the Liquor Control Act 1988 ("the Act"). The licensee must comply with all requirements and conditions imposed by the Act, any conditions or authorisations published by notice under s 31 of the Act, and any conditions or requirements set out below. The licence continues in force until surrendered or cancelled under the Act.

1. EXTENDED TRADING PERMITS

The following extended trading permits have been granted under s 60 of the Act. The authorisation to trade pursuant to the licence is modified accordingly.

Permit Nos: N/A

2. CONDITIONS IMPOSED UNDER THE LIQUOR CONTROL ACT 1988

TRADING HOURS & CONDITIONS

In accordance with section 98C and 46 of the Act, the following trading hours and conditions apply -

1. The premises operate on permitted days with the primary and predominant purpose of providing morning tea, luncheon and afternoon tea to tourists and other visitors to Kings Park. The premises may also be used for various classes of patrons including, but not limited to, individual groups, functions and social gatherings. The premises are not to be used for conventions, trade shows, exhibitions and public meetings.

2. The licensee is permitted to sell and supply liquor to persons who are attending the premises for refreshment, such as would be provided to persons having morning tea, lunch or afternoon tea. Liquor may be sold without being ancillary to a meal during the following hours:

Monday to Friday: 10.00 am to 5.00 pm

Saturday, Sunday & Gazetted Public Holidays: 10.00 am to 6.00 pm

The purpose of this condition is to prevent the facility being used as an after work social drinking venue.

3. The licensee is also able to sell and supply liquor, outside of the abovementioned hours when that liquor is sold or supplied ancillary to the provisions of a genuine meal (as defined in section 3 of the Act). In this respect the licensee must also observe the provisions of section 52 of the Act.

4. Trading is not permitted on Good Friday or before noon on Anzac Day. Christmas Day trading may only take place pursuant to the trading conditions outlined in condition 3 above.

5. The sale of packaged liquor for consumption off the licensed premises is not permitted.

6. The licensee may sell and supply liquor, during private functions conducted on the licensed premises after 5.00 pm on weekdays and 6.00 pm on weekends, until such time as the specific function concludes, but no later than 12.00 midnight on that day.

FOR THE PURPOSE OF "CATERING" (R 13) TRADING HOURS AND CONDITIONS TRADING HOURS

The permitted trading hours in accordance with s 98C of the Act will be as follows: -

- Monday to Sunday from 6 a.m. to 12 midnight.
- Trading on Good Friday; Christmas Day or before noon on ANZAC Day is prohibited.

TRADING CONDITIONS

1. The licensee must carry on a food business as defined in the Food Act s 10 and handles or sells food for consumption at functions.
2. The licensee must have and retain access to the commercial kitchen located at the Kings Park Function Centre and The Botanical Café.
3. The sale of liquor on the licensed premises (being defined as the premises situated at Fraser Avenue Kings Park, Perth to a person (the organiser), for the supply of liquor at unlicensed premises where the licensee has been engaged as a caterer and has agreed with the person organising the function to provide liquor, whether with or without food, for that pre-arranged function, reception or event (as defined by section 3 of the Act) for consumption by persons on those premises only, free of charge.
4. The sale and supply (direct selling) of liquor at unlicensed premises where the licensee has been engaged, on the licensed premises, as a caterer and has agreed with the person (not being a related body corporate of the licensee) organising the function to provide liquor, whether with or without food, for that pre-arranged function, reception or event (as defined by section 3 of the Act) for consumption by persons on those premises only where no more than 200 people are expected to attend.
5. Where the licensee has been engaged, and proposes to sell and supply liquor (by direct selling), in accordance with condition 4, at an event where more than 200 people are expected to attend, the licensee is required to lodge an application for variation of licence conditions (payment of the application fee is waived) with the Director of Liquor Licensing ("the Director") in accordance with the following:
 - a) if the anticipated number of persons attending is greater than 200 but not greater than 500, the application must be lodged with the Director not later than 14 days before the event;
 - b) if the anticipated number of persons attending is greater than 500 but not greater than 1000, the application must be lodged with the Director not later than 30 days before the event; and
 - c) if the anticipated number of persons attending is greater than 1000 the application must be lodged with the Director not later than 60 days before the event.
 - d) such applications are required to be accompanied by the following;
 - details of the date, start and finish time of the event, reception or function;
 - a map of the proposed venue or area outlined in red, at which the liquor will be sold, supplied and consumed;
 - a copy of the security plan and risk management plan for the event;
 - a copy of the approval given, and any conditions imposed by the relevant Local Government Authority in relation to the event;
 - details of the person engaging the licensee and organising the function;
 - an application with fee (under s 104 of the Act) for any profit sharing arrangements between the licensee and another entity; and
 - details of the manner in which liquor will be sold and supplied at the event, reception or function.
 - confirmation that consent is given by the owner or occupier of the premises where liquor is to be supplied.
6. The information contained within the application as prescribed above must:
 - i) be provided in its entirety at one time (i.e. the information must not be submitted in parts, unless immediate and consecutive); and
 - ii) be served on the Liquor Enforcement Unit of the Western Australian Police in the same way as mentioned above.

7. The licensee shall ensure that consent of the owner or occupier of the premises where liquor is to be supplied and consumed has been obtained.
8. The licensee is subject to the requirements of the Food Safety Standard 3.2.2, Clause 3(1) and must ensure that all prerequisite FoodSafe® Food Handler Training Program Certificates (or equivalent training or program) remain current.
9. The sale and supply of packaged liquor for consumption off the licensed premises (function venue) is prohibited.
10. The licensee must ensure that the conduct of the business at premises, that is, the premises at which business is being conducted under the licence where liquor is sold, supplied and consumed is, at all times, personally supervised and managed by an approved manager.
11. The licensee shall that at all times that liquor is sold or supplied for consumption at a function make available to patrons, potable drinking water free of charge. As a minimum, this condition is to be met by way of water dispensers located at or near all bar service areas. The water must be refreshed regularly, with clean glasses suitable for the purpose or single use disposable cups being available.
12. The continuation of this special facility licence will be reviewed by the Director if at any time in the future the licence is to be transferred to another party. The purpose of that review is to determine whether the licence is to be used for the reasons for which it was granted (section 46(3) of the Act refers).

ENTERTAINMENT CONDITION

- (a) A person resorting to, or on the premises, including the licensee or manager, or an employee or agent of the licensee or manager, shall not:
 - (i) be immodestly or indecently dressed on the licensed premises, and/or
 - (ii) take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.
- (b) The licensee or manager, or an employee or agent of the licensee or manager, is prohibited from:
 - (i) exhibiting or showing, or causing, suffering or permitting to be exhibited or shown, on the licensed premises any classified "R 18+", "X 18+" or "RC" classified film or computer game or "Category 1 – Restricted" or "Category 2 – Restricted" publication, or extract therefrom; or
 - (ii) causing, suffering or permitting any person employed, engaged or otherwise contracted to undertake any activity or perform any entertainment on the licensed premises to be immodestly or indecently dressed on the licensed premises; or
 - (iii) causing, suffering or permitting any person to take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.
- (c) In this condition "licensed premises" includes any premises, place or area:
 - (i) which is appurtenant to the licensed premises; or
 - (ii) in respect of which an extended trading permit granted to the licensee is for the time being in force,
 but does not include any part of the premises which is reserved for the private use of the licensee, manager or employees of the licensee and to which the public does not have access.

COMPLIANCE WITH HARM MINIMISATION POLICY

The licensee has lodged a copy of the House Management Policy, Code of Conduct and Management Plan developed for these premises in accordance with the Harm Minimisation Policy. These documents must be retained on the licensed premises and produced to any Authorised Officer if required.

This licence takes effect from **20 July 2017**.



DIRECTOR OF LIQUOR LICENSING